

BEFORE THE DIVISION OF INSURANCE

STATE OF COLORADO

SECOND AMENDED FINAL AGENCY ORDER O-11-023

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**SECOND AMENDED FINAL AGENCY ORDER AMENDING AMOUNT OF THE  
MONETARY PENALTY IMPOSED UNDER FINAL AGENCY ORDER O-10-023: IN  
THE MATTER OF THE MARKET CONDUCT EXAMINATION OF ESURANCE  
INSURANCE COMPANY,**

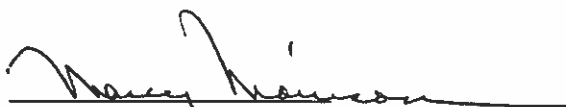
**Respondent.**

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THIS MATTER comes before the Colorado Commissioner of Insurance (the "Commissioner") as a result of a market conduct examination conducted by the Colorado Division of Insurance (the "Division") of Esurance Insurance Company (the "Respondent"), pursuant to §§ 10-1-201 and 10-1-210, C.R.S. This Order amends the amount of the monetary penalty imposed by Final Agency Order O-10-023.

1. On or about September 2, 2009, the Commissioner entered Order O-10-023 pursuant to a market conduct examination report of Respondent dated May 5, 2009 ("the Market Conduct Order").
2. In the Market Conduct Order, the Commissioner imposed a monetary penalty against Esurance in the amount of two hundred eighty-eight thousand and no/100 dollars (\$288,000.00) with a surcharge in the amount of twenty thousand and no/100 dollars (\$20,000.00) for a total civil penalty of three hundred eight thousand and no/dollars (\$308,000.00).
3. The Commissioner hereby amends the monetary penalty imposed in the Market Conduct Order as follows: the monetary penalty now imposed against Esurance shall be in the amount of one hundred forty-seven thousand and no/100 dollars (\$147,000.00) with a surcharge in the amount of seven thousand five hundred and no/100 dollars (\$7,500.00), for a total penalty of one hundred fifty-four thousand five hundred and no/100 dollars (\$154,500.00). The total balance of \$154,500.00 shall be due to the Division within (30) thirty days from the date of this Amended Final Agency Order.
4. All other provisions of the Market Conduct Order, not otherwise amended herein, remain in full force and effect.

The above Order is hereby approved this 10<sup>th</sup> day of August, 2010.



Marcy Morrison  
Commissioner of Insurance